

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

SOUTH CAROLINA DEPARTMENT
OF JUVENILE JUSTICE

Defendant.

Civil Action No. 3:22-cv-01221-SAL

**JOINT MOTION FOR CONDITIONAL DISMISSAL PURSUANT TO SETTLEMENT
AGREEMENT**

1. Plaintiff United States of America (the “United States”) and Defendant South Carolina Department of Juvenile Justice (the “Department of Juvenile Justice”) file this joint motion requesting the dismissal of this proceeding under Federal Rule of Civil Procedure 41(a)(2).

2. On April 13, 2022, the Parties signed the attached Agreement (*Exhibit A*) that resolves the Complaint filed by the United States pursuant to the pattern or practice provision of the Violent Crime Control and Law Enforcement Act of 1994, 34 U.S.C. § 12601.

3. The United States and the Department of Juvenile Justice stipulate and agree that this Agreement complies in all respects with the requirements for prospective relief under the Prison Litigation Reform Act, 18 U.S.C. § 3626(a).

4. The United States and the Department of Juvenile Justice stipulate and agree that all of the prospective relief in this Agreement is narrowly drawn, extends no further than necessary to correct the violations of federal rights as set forth by the United States in its Complaint and Findings Reports, is the least intrusive means necessary to correct these violations,

and will not have any adverse impact on public safety or the operation of a criminal justice system.

5. Consistent with the terms of the Agreement, the Parties jointly move the Court to dismiss the United States' Complaint without prejudice. The Parties request that this Court retain jurisdiction and allow reinstatement, in the event the United States files a motion to resolve a claim that the Department of Juvenile Justice has materially breached any provision of the Agreement, pursuant to Paragraph 127 of the Agreement.

6. The Parties have attached a proposed order for dismissal.

Dated: April 14, 2022

COREY F. ELLIS
United States Attorney
District of South Carolina

JAMES LEVENTIS
Civil Chief

Respectfully Submitted,

KRISTEN CLARKE
Assistant Attorney General
Civil Rights Division

STEVEN H. ROSENBAUM
Chief

WINSOME G. GAYLE
DEENA FOX
Deputy Chiefs
Special Litigation Section

/s/Robert Sneed

ROBERT SNEED
Assistant United States Attorney
U.S. Attorney's Office
District of South Carolina
55 Beattie Place, Ste. 700
Greenville, SC 29601
Tel: (864) 282-2100
robert.sneed@usdoj.gov

RYAN C. WILSON (DC Bar No. 1013907)
ROBYN K. BITNER (NY Bar No. 5294970)
Trial Attorneys
U.S. Department of Justice
Civil Rights Division
Special Litigation Section
950 Pennsylvania Avenue, NW
Washington, DC 20530
Tel: (202) 598-9599
Fax: (202) 514-4883
ryan.wilson@usdoj.gov
robyn.bitner@usdoj.gov

For the Department of Juvenile Justice

/s/ Clarence Davis

CLARENCE DAVIS

Counsel for the Department of Juvenile Justice

Griffin Davis Law Firm

4408 Forest Drive, Suite 300

Columbia, SC 29206

Tel: 803-744-0800

cdavis@griffindavislaw.com